

AMENDMENTS TO THE DRAWINGS

In the attached "Replacement Sheets" of drawings the designation "Prior Art" is added to each of Figures 4 - 7. The attached "Replacement Sheets," which include Figures 4 - 7, replace the original sheets including Figures 4 - 7.

REMARKS

Claims 7-17 are now pending in the application. Claims 1-6 are now cancelled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

RESTRICTION/ELECTION REQUIREMENT

Claims 1-6 stand withdrawn from consideration. The Office Action dated November 5, 2004 alleges that the withdrawn claims are directed to an invention that has gone under separate status in the art from the remaining claims. Applicant respectfully disagrees with the Office Action. However, in order to expedite prosecution of this application, Applicant now cancels Claims 1-6 without prejudice.

DRAWINGS

The drawings stand objected to for certain informalities. Specifically, Figures 4 -7 are objected to because they are not labeled "prior art." Applicant attaches revised drawings for the Examiner's approval. In the "Replacement Sheets," Figures 4 – 7 have been amended to include the designation "Prior Art." Applicant's amended drawings overcome the objections to the drawings. Therefore, Applicant respectfully requests that the drawing objections be reconsidered and withdrawn.

REJECTION UNDER 35 U.S.C. § 102

Claims 7-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Hitachi (JP 08211398). This rejection is respectfully traversed.

Independent Claims 7 and 8 each recite, in part and with reference to Figure 2 for exemplary purposes only as the invention includes numerous embodiments, gaps 11h in adjacent dummy pattern rows 11g being shifted out of alignment from each other

with respect to the extending direction. For example, the gap 11h of dummy pattern row 11g (2-2) is shifted out of alignment with the gap 11h (not specifically labeled in Figure 2) of dummy pattern row 11g (2-1).

The Hitachi reference appears to disclose, with reference to Figure 4, common electrode 8 and dummy electrodes 8D connected to terminals 39. The dummy electrodes 8D do not appear to be in direct alignment with the corresponding terminals 39, resulting in the connectors between the dummy electrodes 8d and the terminals being disposed at an angle. The Hitachi reference fails to disclose or suggest gaps present in each of the adjacent dummy electrodes 8D, as set forth in Claims 7 and 8. Accordingly, the Hitachi reference also fails to disclose such gaps being shifted out of alignment with each other with respect to the extending direction, as set forth in Claims 7 and 8.

The Office Action asserts in the "Response to Arguments" section that "figure 4 of Hitachi indeed discloses, the gaps in the rows being shifted in the extending direction. More specifically, this shifting occurs in the portion of the dummy conductor located between electrode 8 and the terminal 39." In contrast to the Office Action's assertions, Figure 4 fails to disclose gaps in adjacent dummy pattern rows, equivalent to the gaps recited in Claims 7 and 8, which include, for example, the unaligned gaps 11h of Figure 2.

The Hitachi reference fails to disclose or suggest each and every feature of Claims 7 and 8. Therefore, the Hitachi reference fails to anticipate or render obvious Claims 7 and 8 and those claims dependent therefrom. Applicant respectfully requests

reconsideration and withdrawal of this Section 102 rejection of Claims 7 and 8 and those claims dependent therefrom.

ALLOWABLE SUBJECT MATTER

Applicant thanks the Examiner for acknowledging the allowance of Claims 14 - 17. Applicant notes that these claims are allowable for numerous reasons in addition to those set forth by the Examiner in the Statement of Reasons For Allowance.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: June 29, 2005

By: 

G. Gregory Schivley, Reg. No. 27,382
Bryant E. Wade, Reg. No. 40,344

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600
GGG/BGS/les